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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 02, 2024

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

VITTORIA PAXE P.¹

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY.²

Defendant.

NO: 2:23-cv-00335-LRS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand, ECF No. 6. Based on the stipulation of the parties, the Court finds good cause to

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

² Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Rules of Civil Procedure, Martin O'Malley is substituted for Kilolo Kijakazi as the Defendant in this suit.

1 grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

2 **ORDERED:**

3 1. Defendant's Stipulated Motion for Remand, **ECF No. 6**, is **GRANTED**.

4 2. This case is **REVERSED** and **REMANDED** for further administrative
5 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

6 3. On remand, the Commissioner will take any necessary action to complete
7 the administrative record, offer Plaintiff the opportunity for a hearing, and
8 issue a new decision.

9 4. Upon proper presentation, this Court will consider Plaintiff's application
10 for costs, expenses, and reasonable attorney's fees under the Equal Access to
11 Justice Act, 28 U.S.C. § 2412(a), (d).

12 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
13 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
14 the file shall be **CLOSED**.

15 **DATED** January 2, 2024.

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22 LONNY R. SUKO
23 Senior United States District Judge